

REMARKS

With entry of this amendment, Claims 8-18 and 30-43 are pending in the application.

Claims 8, 9, and 18 are amended, and Claims 38 - 43 are added. As the subject matter of the newly added claims was present in the specification as filed, no new matter is entered. Specifically, support for claim 38 is found in originally filed claim 9. Support for claim 39 appears in at least paragraphs [0019] and [0069] of the US publication of the present application, US 2007/0035068A1 ("US Publication"). Support for claim 40 appears in originally filed claim 18. Support for claim 41 appears in at least paragraph [0014] of the US Publication. Support for claims 42 and 43 appear in at least paragraphs [0015], [0025], and [0073] of the US Publication.

Applicants request reconsideration and allowance of the claims in light of the amendments above and remarks below.

Previously pending Claims 36-37

The amendment that accompanied the Request for Continued Examination filed in this case on August 19, 2010 properly included newly added claims 36 and 37, yet no rejection or mention of Claims 36-37 appears in the Office Action dated September 2, 2010 ("the Action"). The Applicants therefore request that Claims 36 and 37 be considered in this case.

Response to Arguments

In the "Response to Arguments" section of the Office Action dated September 2, 2010 ("the Action"), the Action states that independent claim 8 fails to make specific that the smoothening layer is removable, and because Economy et al. (US 4,515,828) form their pre-polymer material in the form of a solution, it is reasonable for the Action to conclude that Economy et al. therefore teaches a smoothening layer that is soluble after being formed on the master (that is, soluble immediately after being deposited, and before being cured or hardened). Although the Applicant's disagree with the stated reasoning, to be more specific they have adopted the Action's guidance and have amended Claim 8 to specify that the smoothening layer is also "removable."

Thus, Economy et al. does not teach or suggest a "removable" smoothening layer made from a polymer material as recited in independent Claim 8 because Economy et al.'s smoothening layer is first "crosslinked by the application of further heat or radiation," the effect of which is further described as "Crosslinking brings about the polymerization of the

prepolymers” (Economy et al., Column 2, lines 66-68.) Thus, Economy et al.’s smoothening layer is not intended to be removable. Indeed, the reason that Economy et al. makes a smoothening layer at all is so that a magnetic recording layer can be applied on top of a very smooth surface in the production of magnetic hard drive platters. (Economy, Column 3, lines 1-5).

Further, claim 9 is amended to reflect that the smoothening layer is dissolvable by a solvent, which is not taught in the cited art. Instead, any smoothening layer (14) in Richards (“US 5,855,966) is instead melted, and, as described above, Economy et al. do not remove their smoothening layer at all, and instead cover it with a magnetic material. Nor does the cited reference of Hallman et al.(US 5,505,808) teach or suggest the inclusion of a removable smoothening layer, but instead, as described in Column 5, lines 8-21, describes removing only a release layer.

New Claim 39 claims the embodiment described in paragraph [0019] of the US Publication, where the smoothening layer may be merely periodically removed during object production, for example, only when the smoothening layer begins to deteriorate. New claim 41 is more specific about how the smoothening layer remains soluble even after being hardened after being applied to the master. This, too, is unlike the smoothening layer in Economy et al., which, instead of being soluble, is first cured to create a “tough adherent film,” which is then covered by a magnetic recording layer. Thus, Economy et al.’s smoothening layer, once cured, is neither removable or soluble, unlike the smoothening layer that is recited in claim 41. Claims 42 and 43 specifically claim other methods of removing the object from the master, which include the mechanical release of the release layer.

Further discussion related to Economy et al.

Page 3 of the Action, in rejecting previously pending claim 8, states that Economy et al. discloses “producing a replication master by forming the master to have a desired external surface shape which at least partially corresponds to a counterform of a surface of an object to be produced by replication,” citing Economy et al., Col. 2, lines 60-68 (emphasis added). The Applicants disagree with this assertion because Economy et al. is not directed toward making an object to be produced by replication, but rather is directed to creating a very smooth layer on a single object, specifically a smooth layer on which a magnetic recording layer can be deposited to create a magnetic disk. (Economy et al., Column 3, lines 1-9). To make an object to be produced by replication, it would require that Economy et al.’s magnetic recording layer be removable, after having taken shape of the underlying smooth platter. But

this is not how Economy et al. works at all. Instead, as described above, Economy et al. is directed to making disk drives, and not a multitude of objects to be reproduced by replication from a single master. Therefore, contrary to the Action's assertion that it would be obvious to one of ordinary skill in the art at "to have utilized the polymer of Economy et al, in the replication method of Richards for the surface roughness reduction effect," one having skill in the art would not look to Economy et al. for guidance in ways to make a replication master because, as described above, Economy et al. do not even make a replication master. Although Economy et al. make a smooth layer, the smooth layer is not used for making objects by replication, nor is this smooth layer removable.

So, beyond the fact that the combination of Richards and Economy et al. does not teach or suggest "producing a replication master by" "coating at least a part of said master (10) with a removable smoothening layer (16) made of a polymer material which has a flowability such that the top surface of said smoothening layer displays a smaller roughness than the surface on which it is formed and which is soluble after being formed on said master (10)," as recited in Claim 8, attempting to combine a novel method of making a molding tool (Richards) with a system for making magnetic disk drives having a magnetic surface formed on a non-removable smooth underlayer (Economy et al.) renders Richards unsatisfactory for Richards's intended purpose of making molding tools. Specifically, trying to replace the release layer of Richards with a non-removable smoothening layer of Economy et al. makes Richards unsatisfactory for its purpose. MPEP 2143.01(V).

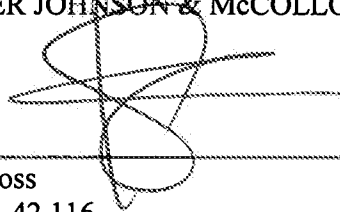
Therefore, because the cited art fails to teach or suggest all of the features in independent claim 8, the Applicants respectfully request that the rejection be withdrawn. Further, claims depending from a non-obvious claim are likewise non-obvious. MPEP 2143.03. Therefore, for the assertions described above, and made in previous responses to Office actions in this application, the Applicant's respectfully request that the application be allowed.

CONCLUSION

The examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

A handwritten signature in dark ink, appearing to be 'Kevin Ross', is written over a horizontal line. The signature is stylized with a large loop and a crossbar.

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